

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

EMERY STEVE BROWN)	
)	
PLAINTIFF)	
)	
VS.)	CASE NO. 3:05-CV-0681-
)	MHT-CSC
CLAIMS MANAGEMENT, INC.)	
)	
DEFENDANT)	

MOTION FOR LEAVE TO FILE AMENDED COMPLAINT AND TO
AMEND RULE 26 ORDER PREVIOUSLY ENTERED BY THE COURT

Comes now Plaintiff Emery Steve Brown and moves the Court to allow him to file his Second Amended Complaint and further moves the Court to amend the Rule 26 Order previously entered by the Court to allow the amendment to the pleadings to be made as of the time of the filing of the motion.

Plaintiff would state that the depositions of the Plaintiff and one of the depositions of the Defendant have been taken and the Second Amended Complaint is made to further clarify the issues between the parties and to conform to the evidence which will be presented at the time of trial in this case.

Plaintiff would further respectfully state that no prejudice would be caused to the Defendant by allowing this amendment to conform to the evidence in this case.

RESPECTFULLY REQUESTED this 4th day of May, 2006.

/s/ John A. Tinney TIN005
Attorney for Plaintiff
Post Office Box 1430
739 Main Street
Roanoke, Alabama 36274
(334) 863-8945

CERTIFICATE OF SERVICE

This is to certify that I have this day served counsel for the opposing party in the foregoing matter with a copy of this pleading by faxing or by depositing a copy of the same in the United States Mail, in an envelope with adequate postage prepaid thereon and properly addressed to him.

Jeffery A. Brown
Post Office Box 139
Columbus, Georgia 31902-0139

This 4th day of May, 2006.

/s/ John A. Tinney TIN005
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